



PUBLIC NOTICE

Federal Communications Commission
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DA 08-2053

Released: September 5, 2008

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CERTAIN
ASSETS OF BROADWING COMMUNICATIONS, LLC TO TELECOM MANAGEMENT, INC.,
D/B/A PIONEER TELEPHONE**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 08-189

Comments Due: September 19, 2008

Reply Comments Due: September 26, 2008

On September 3, 2008, Broadwing Communications, LLC (Broadwing) and Telecom Management, Inc. d/b/a Pioneer Telephone (Pioneer) (collectively, Applicants) filed an application, pursuant to section 63.03 of the Commission's rules, for consent to transfer Broadwing's residential and small and medium enterprise (SME) customer bases to Pioneer.¹ Broadwing, a Delaware limited-liability company, provides interexchange services nationwide and is an indirect, wholly-owned subsidiary of Level 3 Communications, LLC. Pioneer, a Maine corporation, offers interexchange services in every state except Alaska and Hawaii. Pioneer is wholly owned by Susan Bouchard, a U.S. citizen. The Applicants state that no other person or entity holds a 10 percent or greater interest in Pioneer, and that Pioneer has no subsidiaries. Broadwing has entered into agreements with Pioneer for an asset-based transaction whereby Pioneer will acquire Broadwing's residential and SME customer bases, but no network facilities. Broadwing will continue (as a wholly-owned subsidiary of Level 3) to provide telecommunications services to other corporate customers. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(i) of the Commission's rules and that a grant of this application will serve the public interest, convenience, and necessity.²

Application Filed for the Transfer of Certain Assets of Broadwing Communications, LLC to Telecom Management, Inc. d/b/a Pioneer Telephone, WC Docket No. 08-189 (filed Sept. 3, 2008).

¹ 47 C.F.R. § 63.03; see 47 U.S.C. § 214. Applicants are also filing an application for transfer of certain assets associated with authorization for international services. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications.

² 47 C.F.R. § 63.03(b)(2)(i).

GENERAL INFORMATION

The Wireline Competition Bureau finds, upon initial review, that the acquisition of assets identified herein is acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer of control application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 C.F.R. § 63.03(a), interested parties may file comments **on or before September 19, 2008**, and reply comments **on or before September 26, 2008**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.³ Comments must be filed electronically using (1) the Commission's Electronic Comment Filing System (ECFS) or (2) the Federal Government's eRulemaking Portal. See 47 C.F.R. § 63.03(a) ("All comments on streamlined applications shall be filed electronically . . ."); *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Comments may be filed electronically using the Internet by accessing the ECFS, <http://www.fcc.gov/cgb/ecfs/>, or the Federal eRulemaking Portal, <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

In addition, email one copy of each pleading to each of the following:

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., fcc@bcpiweb.com; phone: 202 / 488-5300; fax: 202 / 488-5563;
- 2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, tracey.wilson-parker@fcc.gov;
- 3) Kimberly Jackson, Competition Policy Division, Wireline Competition Bureau, kimberly.jackson@fcc.gov;
- 4) David Krech, International Bureau, Policy Division, International Bureau, david.krech@fcc.gov;
- 5) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

Filings and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554; telephone: 202 / 488-5300; fax: 202 / 488-5563; email: fcc@bcpiweb.com; url: www.bcpiweb.com.

³ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202 / 418-0530 (voice), 202 / 418-0432 (tty).

For further information, please contact Tracey Wilson-Parker at 202 / 418-1394 or Kimberly Jackson at 202 / 418-7393.

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